

REMARKS

Claim Rejections - 35 U.S.C. § 102 and § 103

The Examiner has rejected claims 7-9 under 35 USC 102(a) as being anticipated by Uglow et al. (U.S. Patent No. 6,251,770).

Claims 1-6 and 10 are rejected under 35 USC 103(a) as being unpatentable over Uglow et al. ('770) as applied to claims 7-9 above, and further in view of Yew et al. (U.S. Patent No. 6,159,845).

The Applicants respectfully traverse the above rejections in view of the amendment because the cited references do not teach or suggest every element of any pending claims. Independent claims 1 and 7 recite a variable concentration of dopants in a carbon doped oxide (CDO) layer with a higher concentration in the initially formed portion of the CDO layer than in the subsequently formed portion of the CDO layer, as described in the specification lines 19-23 on pg. 5 and as illustrated in Figure 2. In contrast, Uglow teaches that "as the thickness of the dielectric layer 204 increases..., carbon is introduced into the deposition chamber such that the deposited material will have more carbon content as a greater thickness is formed" (Col. 7 lines 12-16.) Yew fails to teach the formation of a CDO layer at all. The remaining pending claims depend from independent claims 1 and 7 and thus incorporate the limitations of claims 1 and 7. Therefore, the Applicant respectfully submits that claims 1-6 and 7-9 are not taught or made obvious by the cited references.

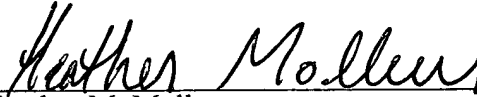
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If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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